

REMARKS

Status of the Application

Claims 1-8 and 23-30 are all the claims that have been examined in the current application. Claim 3 stands rejected under 35 U.S.C. § 112, second paragraph. Claim 1 and 4-6, as best understood, stand rejected under 35 U.S.C. § 102(e) as being anticipated by Burroughes et al. (U.S. 6,592,969). Claim 3 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Burroughes et al. in view of Weaver et al. (U.S. Patent No. 2004/0079945). Claims 7, 28 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Burroughes et al. in view of Ishida (U.S. Patent No. 4,661,428).

By this Amendment, Applicant is amending claims 1, 3, 27, 28 and 30.

Claim Rejections under 35 U.S.C. § 112

Claim 3 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has corrected the noted deficiencies. Withdrawal of the rejection is hereby respectfully requested.

Claim Rejections under 35 U.S.C. § 102

A. *Claim 1 and 4-6, as best understood, stand rejected under 35 U.S.C. § 102(e) as being anticipated by Burroughes et al. (U.S. 6,592,969).*

Claim 1 as amended, recites, in part, “wherein an electrically active layer of the electrically active thin film device is disposed directly on the substrate.” The Examiner alleges that Burroughes discloses all of the elements of claim 1, citing FIG. 1, elements 2, 4, the OLED

as a whole, and col. 6 lines 10-11 for support. However, Burroughes teaches that a first electrode layer is disposed between the electrically active layer of the OLED and the substrate. See FIG. 1, elements 4, 6 and 8 of Burroughes. The electrode layer is an electrically passive layer, not an electrically active layer, and therefore, cannot anticipate amended claim 1. Amended claim 1 is patentable over the applied art.

Claims 4-6 are patentable at least by virtue of their dependency from claim 1.

B. Claim 3 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Burroughes et al. in view of Weaver et al. (U.S. Patent No. 2004/0079945).

Claim 3 is dependent from amended claim 1. Therefore, because Burroughes fails to disclose all of the elements of amended claim 1, and because Weaver fails to cure the defects noted in Burroughes with respect to claim 1, claim 3 is patentable over the applied art.

Amended claim 27 recites elements of amended claim 1 and 3. Therefore, for reasons analogous to those presented with regard to claims 1 and 3, claim 27 is patentable over the applied art.

C. Claims 7, 28 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Burroughes et al. in view of Ishida (U.S. Patent No. 4,661,428).

Claim 7 is dependent from amended claim 1. Therefore, because Burroughes fails to disclose all of the elements of amended claim 1, and because Ishida fails to cure the defects noted in Burroughes with respect to claim 1, claim 7 is patentable over the applied art.

Amended claims 28 and 30 recite elements of amended claims 1 and 7. Therefore, for reasons analogous to those presented with regard to claims 1 and 7, claims 28 and 30 are patentable over the applied art.

Further, Applicant respectfully submits that Ishida fails to disclose that plastic and copper are recognized art equivalents as alleged by the Examiner with regard to the thermal conductivity of the flexible film recited in claims 7, 28 and 30. Burroughes discloses a flexible film composed of plastic. Ishida discloses that metal, including copper, or *plastic coated with metal or metal oxide* may be used as an electrically conductive substrate. See col. 4, lines 56-59 of Ishida. Therefore, Ishida does not disclose that copper and plastic are equivalents, as the Examiner avers. For plastic to be used in place of a metal as taught by Ishida, the plastic must be covered in metal, i.e. to create an electrically conductive substrate. Therefore, the important element in creating the substrate in Ishida is the presence of metal. Thus, claims 7, 28 and 30 are patentable as there is no motivation to combine Burroughes with the substrate of Ishida as alleged by the Examiner as Burroughes teaches away from using copper as a flexible film. Burroughes specifically teaches that optical properties may be incorporated into the plastic layer. Because copper would prevent optical properties from being incorporated into the flexible film in Burroughes, Burroughes would teach away from using copper as a flexible film, and copper and plastic are not equivalents for the purpose of the flexible film in Burroughes.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

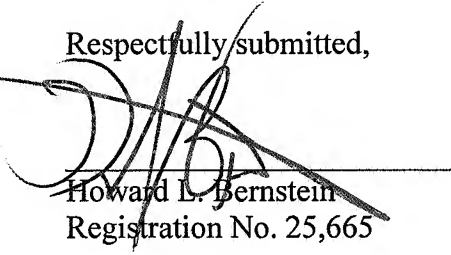
Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/751,631

Attorney Docket No. Q79065

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "H. Bernstein", is written over a horizontal line. The signature is stylized and somewhat cursive.

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